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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,811	09/22/2003	Yun Cho	678-1121 (P10742)	2139
28249	7590	01/27/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			GRANT, ROBERT J	
			ART UNIT	PAPER NUMBER
			2838	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/667,811

Applicant(s)

CHO ET AL.

Examiner

Robert Grant

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 9-22-03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 3, 9, and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character not mentioned in the description:

Element 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities: On page 3, line 15, '...so the an appearance of the battery charger is not good.' Should be changed to a proper grammatical sentence.

Appropriate correction is required.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: A two battery pack charger with locking means for a mobile phone.

***Claim Objections***

4. Claim 3 is objected to because of the following informalities: 'connectingto' should be changed to 'connecting to'. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 1-3 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Law et al (US 5,733,674).

As to Claim 1, Law discloses, in figure 4, a battery charger for a mobile phone, comprising: a first slot having an opening at front and top parts thereof and surrounded by a first inside wall and a first battery pack supporting surface (Seen in Figure 4, but no elements or description is given); and a second slot having an opening at front and top parts thereof, wherein the front part of the opening of the second slot faces the opening of the first slot, and the second slot is surrounded

by a second inside wall and a second battery pack supporting surface (Seen in Figure 4, but no elements or description is given).

As to claim 2, which is dependent upon claim 1, Law discloses wherein the first slot is larger than the second slot (Figure 4, and Column 8, lines 9-12 recite that one slot holds a power supply and the other is capable of holding the phone and the power supply).

As to claim 3, which is dependent upon claim 1, Law discloses wherein the first inside wall has an interfacing connector for electrically connecting to the mobile phone (Figure 4, elements 102, 104, 106, and 108).

As to claim 6, which is dependent upon claim 1, Law discloses wherein a first space is provided between a battery pack received in the first slot and a reserve battery pack received in the second slot, so that the battery packs received in the first and second slots are physically separated from each other when the battery packs are received in the first and second slots, respectively (Figure 4, the two battery packs will remain physically separated by the design).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Law in view of Kfoury et al. (US 6,049,192).

As to claim 4, Law discloses all the limitations set forth in claim 1, which claim 4 is dependent upon. Law discloses wherein the second battery pack supporting surface is a planar surface (seen in figure 4). Law does not expressly disclose wherein the supporting surface has charging terminals thereon. Kfoury discloses, in figure 2, a telephone and battery pack, wherein the terminals on the phone are located on the bottom of the phone (Figure 2, element 202), and the terminals for the battery are located on the back side (Figure 2, element 210). It would be obvious to a person having ordinary skill in the art to modify Law's charger design to accommodate a battery pack that does not have a second set of terminals on the bottom, such as the one that Kfoury illustrates. The results that would be yielded would be a slot for charging the second battery pack wherein the charging terminals would be located on the supporting surface.

As to claim 5, with regard to claim 4 in which it is dependent upon, Law in view of Kfoury disclose a wherein the charging terminal comes into contact with a terminal formed at a back surface of a battery pack when the battery pack is received on the second battery pack supporting surface.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Law in view of Jennings et al. (US 5,954,531).

As to claim 7, Law discloses all the limitations of claim 1, in which claim 7 is depend upon. Law does not expressly disclose wherein the first slot has a plurality of fixing protrusions and the second slot has a main lock to fix and release battery packs to and from the first and second slots, respectively. Jennings teaches a releasable locking mechanism in figure 1, in which a plurality of arms extend outwardly from an accessory structure (element 36) and are adapted to engage slots in a base structure (element 30). It would have been obvious to a person having ordinary skill in the art to modify Jennings releasable locking mechanism by adding an additional set of protrusions to allow it to lock in two battery packs and add it to Laws battery charger, in order to provide the phone and battery with a firm and secure connection with the charging structure, to ensure that the connection with the terminals is sustained.

As to claim 8, with regard to claim 7 in which it is dependent upon, Law in view of Jennings disclose wherein the fixing protrusions are formed at both upper end portions of the first inside wall for combining with fixing grooves formed on a body of the mobile phone when the interfacing connector formed at a lower portion of the first inside wall comes into with an electrical connection terminal of the mobile phone. It would be obvious to a person having ordinary skill in the art to make the protrusions (Element 36) in Jennings Releasable locking mechanism come out the sidewalls of the Laws charger (Figure 4) to engage grooves formed in appropriate locations so as to allow the user to

see that the protrusions have fully engaged the grooves, and therefore a secure connection has been established.

***Allowable Subject Matter***

9. Claims 9 and 10 are Objected to.

10. Claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 9 and 10, recite inter alia, a combining groove located on the lower portion of the inside wall of the second battery slot, and where the main lock (which is used to also control the fixing protrusions of the first slot) has a restoring force that causes it to combine with a locking groove located on the upper portion of the reserve battery pack.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Grant whose telephone number is 571-272-2727. The examiner can normally be reached on M-F 8:30-5.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on 571-272-2084. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RG



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